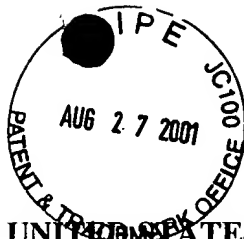


S/N 08/746,901



PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Elliott Examiner: Steven HD Nguyen
Serial No.: 08/746,901 Group Art Unit: 2664
Filed: November 18, 1996 Docket: VON-96-105
(FSP #: 140.005US01)

Title: SYSTEM METHOD AND ARTICLE OF MANUFACTURE FOR SELECTING
A GATEWAY OF A HYBRID COMMUNICATION SYSTEM
ARCHITECTURE

RESPONSE

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SEP 04 2001

Technology Center 2600

Commissioner for Patents
Washington, D.C. 20231

This response is submitted in response to the Office Action mailed March 27, 2001.

REMARKS

Claims 31-38 are pending. Claims 31-38 stand rejected under 35 U.S.C. §112, second paragraph and under 35 U.S.C. §103(a). Reconsideration of the application, and allowance of all claims pending herein are respectfully requested in light of the following remarks.

Rejections Under 35 U.S.C. §112, second paragraph

Claims 31-38 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner states that claims 31 and 35 are incomplete for omitting essential structural cooperative relationships of elements, specifically that the omitted structural cooperative relationships are: attempts to route the call over the selected gateway; if the route fails, route the call via the next ranked gateway.

According to the MPEP, §2172.01 "[A] claim which fails to interrelate *essential elements of the invention as defined by applicant(s) in the specification* may be rejected under 35 U.S.C. §112, second paragraph, for failure to point out and distinctly claim the invention."